IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

THURSDAY, THE 31ST MAY 2007 / 10TH JYAISHTA 1929

WP(C).No. 16633 of 2007(E)

PETITIONER:

DR.P.J.BABU, S/O.P.O.JOHN, AGED 46,
ASSISTANT PROFESSOR OF SURGERY,
GOVERNMENT MEDICAL COLLEGE, THRISSUR,
RESIDING AT 'ANUGRAHA', KONCHERY ROAD,
MULANKUNNATHUKAVU POST, THRISSUR.

BY ADV. SRI.K.JAYAKUMAR
SRI.P.B.KRISHNAN
SMT.GEETHA P.MENON

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
THE SECRETARY, HEALTH & FAMILY WELFARE (B)
DEPARTMENT, GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF MEDICAL EDUCATION,
THIRUVANANTHAPURAM.

3. THE DEPARTMENTAL PROMOTION COMMITTEE,
REPRESENTED BY ITS CONVENOR,
(THE DIRECTORATE OF MEDICAL EDUCATION),
THIRUVANANTHAPURAM.

BY GOVT. PLEADER SRI. A.J. VARGHESE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

A.K. BASHEER, J.

W.P.(C). NO. 16633 OF 2007

Dated this the 31st day of May, 2007

J U D G M E N T

Petitioner claims that he is eligible for promotion to the post of Associate Professor in Surgery in the Medical Education Department. Laying heavy emphasis on Ext.P2 order of the Government by which his probation has been declared with effect from August 30, 2001, it is contented by the petitioner that he is eligible and entitled to be considered for inclusion in the select list when it is being finalised. His apprehension is that the authority concerned may not take note of the successful declaration of his probation.

2. I do not propose to deal with the above contention at this stage in view of the limited prayer made by the learned counsel for the petitioner at the Bar. He submits that petitioner has submitted Ext.P3 representation in this regard highlighting all the relevant aspects. He prays that an appropriate direction may be issued to the authority concerned to take a decision before the list is finalised.

In the above facts and circumstances, the writ petition is disposed of with a direction to respondent No.1 to consider and pass orders on Ext.P3

strictly on its merit and in accordance with law as expeditiously as possible, at any rate, within a period of one month from the date of receipt of a copy of this judgment. Needless to mention, petitioner and all other candidates, who are likely to be affected, shall be afforded sufficient opportunity to be heard before any decision is taken in the matter. Petitioner shall produce a certified copy of this judgment along with a copy of the writ petition before respondent No.1 for compliance.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007